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-and-

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Counsel to Plaintiffs

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

WALTER BEINECKE, III, EAGLIS
ALTERNATIVE INVESTMENTS I, LLC,
GEOFFREY T. FREEMAN, GRAHAM GUND,
HENRY A. JORDAN, JENNIFER C. McNEIL,
J. STUART MOORE, and CARL NOVOTNY,
TRUSTEE of the S&H NOMINEE TRUST,

Plaintiffs,

-against-

S&H MARKETING, INC. f/k/a S&H
GREENPOINTS, INC., and THE SPERRY AND
HUTCHINSON COMPANY, INC.,

Defendants.

08 Civ. 2483 (GBD)

ELECTRONICALLY FILED

Plaintiffs' Statement Pursuant to Federal Bankruptcy Rule 9027(e)(3)

Walter Beinecke, et al., plaintiffs in the above-referenced action ("Plaintiffs"), by their attorneys, Sullivan & Worcester LLP, submit this statement pursuant to Rule 9027(e)(3) of the Federal Rules of Bankruptcy Procedure.

The underlying case is a non-core proceeding, between non-debtors, that is governed exclusively by state law. Due, *inter alia*, to the exclusively state law nature of the issues raised herein, Plaintiffs expect timely to object to the removal of this case from State Court and to seek by motion a remand back to the State Court. Plaintiffs therefore do not consent to entry of final orders or judgment by a bankruptcy judge.

This Statement is timely as it will be filed within ten days of the filing of the Notice of Removal. It is respectfully submitted in advance of Plaintiffs' anticipated motion for an order remanding this proceeding back to State Court.

Dated: New York, New York
March 21, 2008

s/
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